UNIVERSITY OF TORONTO

LAW JOURNAL

VOL. XIV, 1961-62

PUBLISHED BY UNIVERSITY OF TORONTO PRESS

FOR SALE BY

The Carswell Company Limited
Toronto

Law Book Co. of Australasia
Sydney, N.S.W.

EDITOR Professor R. St. J. Macdonald

ADVISORY BOARD

Dean C. A. Wright, Q.C.
Professor A. S. Abel
Professor B. Laskin
Professor J. B. Milner

CONTENTS OF VOLUME XIV

ARTICLES

Law, Morals and Positivism
MARK R. MacGUIGAN 1

Metropolitan Government in Canada
THOMAS J. PLUNKETT 29

English Family Law since the Royal Commission
L. NEVILLE BROWN 52

The Deserted Wife's Equity in the Matrimonial Home: A Dissent
BORA LASKIN 67

An International Code to Protect Private Investment—Proposals and Perspectives
A. A. FATOUROS 77

Retail Instalment Sales Legislation: A Historical and Comparative Survey
JACOB S. ZIEGEL 143

The Nature of International Law
L. C. GREEN 176

Stare Decisis, Dissent, and the Background of the Justices of the Supreme Court of the United States
JOHN R. SCHMIDHAUSER 194

Morality and the Criminal Law
ALAN W. MEWETT 213

Obscenity, Censorship, and Juvenile Delinquency
BERNARD GREEN 229

NOTES

Report of the Committee on the Organization of Government in Ontario
JOHN WILLIS 103

The New Faculty of Law in the University of Western Ontario
I. C. RAND 107

New Developments at Osgoode Hall Law School
Public International Law and Comparative Law
J. G. CASTEL 108

The Programme of Studies in Criminal Law
J. D. MORTON 114

Law as a University Discipline
CECIL A. WRIGHT, Q.C. 253

McGill's Institute of Air and Space Law
A. B. ROSEVEAR, Q.C. 257

A Different Approach to Teaching Evidence
BRUCE DUNLOP 260

STATUTES

The Ontario Labour Relations Amendment Act, 1960
BORA LASKIN 116

New British Columbia Legitimacy Legislation
GILBERT D. KENNEDY 122

The Communal Property Act of Alberta
JOHN A. HOSTETLER 125

British Columbia Labour Relations Act Amendment Act, 1961
A. W. R. CARROTHERS 263

The Highway Victims Indemnity Act of Quebec, 1961
DONAT PHARAND 268

The Ontario Mortgage Brokers Registration Act
J. B. MILNER 275

REVIEWS OF BOOKS

CASTEL, *Private International Law: A Comparative Study of the Rules Prevailing in Canada and the United States*
MOFFATT HANCOCK 129

COWEN, *Federal Jurisdiction in Australia*
BORA LASKIN 132

DE SMITH, *Judicial Review of Administrative Action*
ALBERT S. ABEL 135

DAVID, *Le Droit Français*
A. B. WESTON 137

FORD, ed., *Cases on Trusts*
JOHN WILLIS 138

HOULDEN and MORAWETZ, *Bankruptcy Law of Canada*
MARK R. MACGUIGAN 139

FRANKFURTER, *Mr. Justice Holmes and the Supreme Court*
JOHN WILLIS 279

DOWRICK, *Justice According to the English Common Lawyers*
MARK R. MACGUIGAN 280

ERADES and GOULD, *The Relation between International Law and Municipal Law in the Netherlands and in the United States*
W. A. MACKAY 284

LOFFMARK, *Estate Taxes*; JAMIESON, *Canadian Estate Tax*
F. E. LABRIE 285

WOODARD, *Canadian Mortgages*
J. B. MILNER 288

RAWSON, *Property Taxation and Urban Development*
J. B. MILNER 290

MOSTECKY, ed., Harvard Law School Library, *Annual Legal Bibliography*
RICHARD RANK 291

BOOKS ALSO RECEIVED 141, 294